

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JANELL CRAGHEAD,

Plaintiff,

Case No. 3:22-cv-308

vs.

TRAIL TAVERN OF YELLOW
SPRINGS, LLC, *et al.*,

District Judge Michael J. Newman
Magistrate Judge Peter B. Silvain, Jr.

Defendants.

**ORDER: (1) DENYING THE PARTIES' JOINT MOTION FOR APPROVAL OF THE
FLSA SETTLEMENT (Doc. No. 21); AND (2) INSTRUCTING THE PARTIES TO
ADMINISTER THE FLSA SETTLEMENT WITHOUT COURT APPROVAL**

This civil case is before the Court upon the parties' joint motion for approval of their FLSA settlement (Doc. No. 21). In May 2024, Judge Cole—also in the Southern District of Ohio—issued an Opinion and Order denying a motion for settlement approval under the FLSA. *See Gilstrap v. Sushinati LLC*, – F.Supp.3d –, No. 1:22-cv-434, 2024 WL 2197824, at *1 (S.D. Ohio May 15, 2024). Judge Cole explained that the Court “[l]acks authority to pass on the fairness or propriety of a proposed private settlement agreement among the parties.” *Id.* Judge Cole determined that district courts do not have authority to reject or approve FLSA settlements, based on the text of the statute itself and precedent established in the Supreme Court and the Sixth Circuit. *Id.* at *2-12. This Court agrees with Judge Cole's well-reasoned opinion in *Gilstrap* and instructs the parties to administer the FLSA settlement under Fed. R. Civ. P. 41(a) and as agreed-upon in the terms of their private settlement.

Accordingly, the Court hereby **DENIES** the parties' joint motion for approval of the parties' FLSA settlement (Doc. No. 21) on the ground that it lacks authority to grant it. To

terminate this case, the parties may file a stipulation of dismissal under Fed. R. Civ. P. 41(a)(1)(A)(ii). The Court **INSTRUCTS** the parties to administer the FLSA settlement without Court approval. With respect to the settlement itself, the Court observes that the parties may enter into any contract they wish—this Court currently expresses no opinion on such a contract’s enforceability or fairness. *See Gilstrap*, 2024 WL 2197824, at *13.

IT IS SO ORDERED.

December 19, 2024

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge